



CITY OF ATLANTA

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MAYOR

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 22, 2014

Agenda Item: Application for Type II Certificate of Appropriateness (CA2-14-290) for alterations at 1231 Lucile Avenue-Property is zoned R-4A/West End Historic District.

Applicant: Courtney Newmans
1903 Drew Drive #1121

Facts: According to the West End Historic district inventory this single family dwelling was built from 1914-1915 and is considered contributing.

Analysis: The following code sections apply to this application:
Per Section 16-20G.005 of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to the West End Historic District.

Sec. 16-20G.005. - General regulations.

(2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

Sec. 16-20G.006. - Specific regulations.

In addition to the general regulations set forth in section 16-20G.005, and any other applicable regulations, the following regulations shall apply to all rehabilitations, new construction, alterations, and other changes:

(1) *Generally:* The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof

features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.

(2) Building Façades:

(c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.

(d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.

(3) Windows and Doors:

(a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.

(b) Original window and door openings shall not be blocked or enclosed, in whole or in part.

(c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.

(d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

(e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.

(g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

(h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.

(i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.

(j) New windows or doors added to existing structures shall be located façades that don't face a public street.

(6) Chimneys:

(a) Chimneys shall match original materials, mortar, color and pattern whenever possible.

(b) New chimneys shall be faced with brick or stucco.

(c) Siding on chimneys is prohibited.

(d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.

General Comments

In looking at pictures submitted by the Applicant, it appears alterations have been done without appropriate permits or approval by the Commission. In general, Staff finds the alterations that have already been done are not appropriate and do not meet the requirement. Specifically, it appears some of the windows have been replaced, window openings have been manipulated, wood grain cementitious siding has been added and a chimney has been removed. Staff cannot determine all of the work that has been completed based on the pictures submitted. It is not clear which alterations either completed or proposed are visible from the street. Staff recommends the Applicant provide a written statement that clarifies all of the work that has already been completed. Staff recommends the Applicant provide additional pictures of all elevations with appropriate labels. Staff recommends the Applicant provide pictures of the elevations before alterations were done. Staff recommends the Applicant submit plans that accurately depict the existing and proposed conditions.

Windows

It appears several of the windows have been replaced and some of the window openings have been manipulated. The newly installed windows appear to either have grills in between the glass or the lite divisions are extremely flat. Staff finds the new windows and openings are not appropriate and do not meet the requirements. Staff recommends all window openings that have been changed are restored to their original size. Staff recommends the newly installed windows are removed and either the historic windows are reinstalled or new windows are installed that meet the requirements.

Siding

The Applicant has installed wood grain cementitious siding. Wood grain cementitious siding is not allowed by the regulations. In looking at the pictures, it appears there may be three types of siding on the house. Staff recommends all wood grain cementitious siding be removed. Staff recommends the existing original siding be repaired and retained if possible. If repair and retention of the existing siding is not feasible, Staff recommends any siding repair or replacement match the original siding in material, scale and direction.

Chimney

It appears one chimney has already been removed and another chimney is proposed for removal. Staff finds having two chimneys is a character defining feature of the existing house. Staff finds that removing the chimney is destruction of historic fabric and does not meet the requirements. Staff recommends the existing chimney is repaired and retained. Staff recommends the removed chimney is rebuilt with the same design, material and location.

Staff Recommendation: Based upon the following:

- a) The plans do not meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type III Certificate of Appropriateness (CA2-14-290) for alterations at **1231 Lucile Avenue**-Property is zoned R-4A/West End Historic District, to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall provide a written statement that clarifies all of the work that has already been completed;
2. The Applicant shall provide additional pictures of all elevations with appropriate labels;
3. The Applicant shall provide pictures of the elevations before alterations were done;
4. The Applicant shall submit plans that accurately depict the existing and proposed conditions;
5. All window openings that have been changed shall be restored to their original size, per Section 16-20G.006(3);
6. The newly installed windows shall be removed and either the historic windows be reinstalled or new windows shall be installed that meet the requirements, per Section 16-20G.006(1) and (3);
7. All wood grain cementitious siding shall be removed, per Section 16-20G.006(2)(d);
8. The existing original siding shall be repaired and retained if possible, per Section 16-20G.006(2)(d);
9. If repair and retention of the existing siding is not feasible, any siding repair or replacement shall match the original siding in material, scale and direction, per Section 16-20G.006(2)(d);
10. The existing chimney shall be repaired and retained, per Section 16-20G.006(1) and (6);
11. The removed chimney shall be rebuilt with the same design, material and location, per Section 16-20G.006(1) and (3); and
12. The Applicant shall submit appropriate copies of pictures, plans and documentation no later than eight days before the deferred meeting.



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CHARLETTA WILSON JACKS
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STAFF REPORT
October 22, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-296) for alterations and roof top addition at **357 Edgewood Avenue** - M. L. King, Jr. Landmark District (Subarea 4).

Applicant: Matt Rupert
357 Edgewood Avenue

Facts: The existing one-story commercial building was renovated several years ago to house a restaurant. The Commission has previously approved the current globe lighting on the front façade and an outdoor seating area behind the main building, along the existing alley.

Regarding potential renovations, the Applicant proposes to make “storefront improvements” and “replace the parapet”. The main component of the project is to construct a rooftop addition at the front portion of the building with an exit stair at the back of the building down into the previously-approved outdoor seating area.

The Staff would add that since the Commission’s previous approvals related to this property, the City has adopted comprehensive revisions to the District regulations (via Z-14-09) that would apply to this new project. This would include the inclusion of the Edgewood Avenue corridor and the Auburn Avenue corridor in one Subarea 4, combining the former Subareas 4 and 5.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

The following general regulations shall apply to all properties within the Martin Luther King, Jr. Landmark District, except where otherwise stated.

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.

- e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
- a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - ii. On contributing buildings on the same block in Subareas 3 and 4.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - iii. No certificate of appropriateness shall be required to repaint any structure or portion thereof, or, to make ordinary repairs and maintenance using in-kind materials.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - ii. Additions;
10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

Sec. 16-20C.005. Permitted Principal Uses and Structures.

1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:
 - a. The permitted principal uses and special permit uses set forth in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be permitted only as listed within each Subarea within said table of uses and only in the manner so listed.
 - b. Permitted principal uses. A building or premises shall be used only for the principal uses indicated with a "P" in Table 1: Martin Luther King Jr. Landmark District Table of Uses, subject to further restrictions where noted.

TABLE 1: MARTIN LUTHER KING JR. LANDMARK DISTRICT TABLE OF USES	SUBAREA 1 Auburn Ave Res	SUBAREA 2 Residential	SUBAREA 3 Institutional	SUBAREA 4 Auburn/Edgewood Commercial
NON-RESIDENTIAL USES				
Eating and drinking establishments	X	P *	X	P

NOTES
Bed and breakfast uses in Subarea 2 shall comply with the use restrictions of 16-20C.005(2)(b).
@ Park-for-hire surface parking lots shall comply with the use restrictions of 16-20C.005(3)(c).
% Roof antennas and similar uses shall comply with the use restrictions of 16-20C.005(3)(d).
* Limited to location set forth in 16-20C. 005(2)(c) and further limited to a maximum size of 2,000 square feet for each individual use.
^ Limited to location set forth in 16-20C. 005(2)(c) and further limited to a maximum size of 4,000 square feet for each individual use.
& On an undeveloped lots.

Sec. 16-20C.006. Lot Controls and Building Heights.

2. The following Lot Controls and Building Heights provisions shall apply to Subareas 3 and 4.
 - a. Building heights.
 - i. Maximum building heights shall be permitted up to a maximum of one and one-half (1.5) times the height permitted utilizing the compatibility rule, provided that:
 - (1) For property located east of Interstate 75/85, no building shall be permitted to exceed a maximum height of 55 feet.
 - (2) For property located west of Interstate 75/85, no building shall be permitted to exceed a maximum height of 68 feet.
 - ii. The building heights permitted in this subsection are intended to be the maximums authorized but are subject to further compatibility restrictions under other provisions of this district relative to building form, scale, massing and materials.
 - iii. Notwithstanding the height requirements of these subareas, previously existing structures in existence before 1967 but no longer in existence may be reconstructed to their original footprints and height where the applicant shows by archived evidence or sworn affidavit(s), and the Commission finds, that such structural dimensions previously existed on the proposed site.

Sec. 16-20C.007. Sidewalks, Yards and Open Space.

1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
 - c.Required Open Space.
 - i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
3. The following additional Yards provisions shall apply to Subareas 3 and 4.
 - a. Front, Rear and Side Yards. All front, rear and side yards for this Subarea shall be established through the compatibility rule, except that zero-lot-line side yards shall be permitted as a minimum side yard allowance regardless of the compatibility rule application.

Sec. 16-20C.008. Design Standards.

1. The following Design Standards provisions shall apply to Subareas 1 through 4.
 - a. Building Compatibility.
 - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
 - iii. Fiberglass roofs shall be prohibited.
 - b. Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - c. Landscaping.
 - i. A landscape plan may be required by the Commission to mitigate the environmental and visual impacts of construction on adjoining properties. The Commission may require that plant materials in a landscape plan reflect the character of the district.
 - ii. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Sec. 158-26 et seq., shall apply to this district.
3. The following Design Standards provisions shall apply to Subareas 3 through 4.
 - a. Facades.
 - i. Building materials for the façades of principal structures shall be determined by the compatibility rule. Concrete block and other masonry materials may be used on façades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any façade.
 - ii. Covering of the original façade shall not be permitted.
 - iii. Painting of unpainted building materials and masonry is prohibited.
 - iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
 - v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
 - vi. Cornice lines shall cap all building facades and shall consist of sheet metal, brick, cast concrete or terra cotta materials.
 - b. Active uses (See Sec. 16-20C.005(3)(e))
 - i. Active uses shall be provided within buildings and parking structures for the entire length of said building façade except ingress and egress points into parking structures or loading areas.
 - ii. Active uses shall be provided for a minimum depth of 20 feet, as measured from the sidewalk-level building façade.
 - d. Fenestration.
 - i. A minimum of 60 percent of the length of the building façade shall contain fenestration.
 - ii. Sidewalk-level development without fenestration shall not exceed a maximum length of 10 feet of façade.
 - iii. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.

General Development Controls and Uses

A variety of commercial uses are permitted in the Subarea, including eating and drinking establishments. The existing restaurant use complies with the ground-floor sidewalk level active use requirements for the required depth.

No new off-street parking, curb cuts or driveways are proposed. The Staff would suggest that while not required given the scope of the existing project, the Applicant provide some bicycle parking.

The front, east, and rear yard setbacks of the proposed roof top, outdoor dining / bar addition are subject to the compatibility rule. No information was provided about compliance with the compatibility rule in the submission. The Staff would recommend the Applicant document compliance with the District setback requirements or apply for a variance if necessary.

“Storefront improvements” and “Replace the parapet”

It is not clear from the submission, what storefront improvements are being proposed. The front elevation shows what appears to be the existing conditions on the storefront, including display windows divided into three parts with a transom-like window above, as well as a half-glass, half-wood front door. The Staff would recommend the Applicant clarify the proposed improvements to the storefront.

Similarly, it is not clear the existing condition of the parapet, its rationale for removal, and what it might be replaced with. The reference to the parapet might only deal with the coping on top of the short parapet wall, which appears to be sheet metal or a similar material. The Staff would recommend the Applicant clarify the proposed work on the parapet wall.

Add a roof top, outdoor dining / bar area.

The proposed design includes a new roof top, outdoor dining / bar area covered by a pergola and surrounded by a railing. The Staff has several concerns about this component of the project.

Regarding the District’s development controls, the Staff would recommend that the Applicant document that the roof top outdoor dining area meets the maximum height requirements of the District regulations.

Even if the proposed roof top, outdoor dining area meets the height requirements (and setback requirements previously noted above), the Staff finds that this component of the design would completely transform the appearance and character of the building and does not meet the District regulations in three respects: its design, location, and likely materials.

First, the pergola design creates a residential and almost garden-like appearance to the structure. Generally speaking, roof top structures need to have a very basic, utilitarian appearance to them to both minimally detract from the existing, contributing building and reinforce the commercial nature of the building.

Second, the location of the roof top structure at the very front of the building makes its appearance equal in significance to the original façade of the contributing building below. Further, it will make the roof top structure completely visible from almost any vantage point on the street. While the Staff acknowledges the presence of and approval of previous roof top

structures in the District (including those that can be seen from the street), the Staff finds that reducing their visual presence makes them compatible with the building and District.

Third, while no materials are listed on the elevations, given the design, the Staff would assume that at least the pergola, if not the railing, would be wood. The Staff finds that no substantial wood components are appropriate for a roof top structure. Such materials reinforce the incompatible residential character to the structure and do create the appearance of a roof top appurtenance.

While having roof top, outdoor dining could be possible on this building, given its height (one-story), depth (one portion shallow, another portion deep), and architectural design (a short parapet wall), it likely will be difficult to achieve such a proposal.

The Staff would recommend the proposed roof top, outdoor dining area be substantially redesigned, including but not limited to a reduction in size, an increase in distance from the edge of the dining area to the front facade of the building, a change in materials, and a change in design to a more commercial / utilitarian aesthetic.

Staff Recommendation: Based upon the following:

1. The design, size, location, components, and materials of the proposed additions and alterations either are not clear or do not meet the District regulations, per Section 16-20C.004, Section 16-20C.005, Section 16-20C.006, Section 16-20C.007, Section 16-20C.008, and Section 16-20C.009.

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-14-296) for alterations and roof top addition at **357 Edgewood Avenue** - M. L. King, Jr. Landmark District (Subarea 4) to allow time for the Applicant to address the following concerns:

1. The Applicant shall document compliance with the setback regulations or apply for a variance as necessary, per Section 16-20C.007(3);
2. The Applicant shall clarify the proposed improvements to the storefront, per Section 16.20C.008(1);
3. The Applicant shall clarify the proposed work on the parapet wall, per Section 16.20C.008(1);
4. The Applicant shall document that the roof top outdoor dining area meets the maximum height requirements of the District regulations, per Section 16-20C.006(2)(a);
5. The proposed roof top, outdoor dining area shall be substantially redesigned, including but not limited to a reduction in size, an increase in distance from the edge of the dining area to the front facade of the building, a change in materials, and a change in design to a more commercial / utilitarian aesthetic, per Section 16-20C.004(1) and 16-20C.008(1)(a)(i); and
6. The revised designs and supporting materials (including the required number of copies) shall be submitted to the Staff at least eight (8) days prior to the Commission meeting to which this application is deferred.



CITY OF ATLANTA

M. KASIM REED
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 22, 2014

Agenda Item: Application for a Type II Certificates of Appropriateness (CA2-14-298) for new signage at **349 Edgewood Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4)/Beltline.

Applicant: Harold's Chicken and Ice Bar
349 Edgewood Avenue

Facts: This existing commercial building is considered contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark Districts:

a. To change the exterior appearance of any Landmark Building or Site;

Per Section 16-20C.003:

The following regulations shall apply to the entire Landmark District inclusive of all subareas. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

(1) Regulations shall be minimum standards which must be followed and shall be applied by the AUDC.

(2) The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural style, and shall further ensure the compatibility of future developments within this HC district.

(3) The power to hear, grant or deny variances and special exceptions from these regulations shall rest with the AUDC.

(4) Procedure for variance: Upon a determination by the AUDC that an application for renovation or new construction is in conflict with these regulations and/or the guidelines, the AUDC shall institute procedures for public notification and public hearing as are specified similarly for the board of zoning adjustment (section 16-26.001). Notification shall include any government or nonprofit institution which has legitimate interest in the historic integrity of this Landmark District.

(5) The compatibility rule: In general the intent of the regulations and guidelines structures and new construction are compatible with the design, scale and general character of the entire district, of each

subarea, and of the immediately adjacent environment of a particular block. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question (roof form, architectural trim, building setback, etc.) shall match that which predominates on that block; or where quantifiable (i.e. building height, setback etc.), the average of all structures of like use in that block shall be adhered to. The rule shall apply as it is noted in these regulations and guidelines by reference to the "compatibility rule."

(15) *Building facades, roofs, and other elements visible from the street right-of-way:*

- a. Alteration and addition to building facades, roofs, porches, foundations and other exterior elements shall conform to these regulations and to the guidelines adopted and applied by the AUDC.

Per Section 16-20.009. Further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.
- (8) (27) *M.L. King, Jr. Landmark District.* The following signs shall be permitted in the M.L. King, Jr. landmark district:
 - (9) a. *General Regulations:* Signs within the M.L. King, Jr. landmark district are subject to the following regulations:
 - (10) 1. No general advertising signs shall be permitted in the M.L. King, Jr. landmark district.
 - (11) 2. No sign shall be permitted within the M.L. King, Jr. landmark district except after approval by the urban design commission of a certificate of appropriateness as specified in chapter 20 of this part.
 - (12) 3. One (1) identification sign, not exceeding 20 square feet in sign area, shall be permitted for multi-family uses.
 - (13) 4. For all other uses permitted in this district, one (1) identification sign per street frontage shall be permitted. Such sign shall not exceed 35 square feet in sign area.
 - (14) f. *Edgewood Commercial Corridor (Subarea 5):* The sign regulations for Edgewood commercial corridor (Subarea 5) shall be the same as the regulations for the SPI-1 (Central core) district, provided that:
 - (15) 1. No individual sign shall exceed 100 square feet in sign area.
 - (16) 2. No freestanding sign shall exceed 20 feet above ground level.
 - (17) 3. No projecting sign shall exceed eight (8) square feet in sign area.
 - (18) 4. Sign location on the building shall correspond with that portion of the building owned or leased by the person erecting the sign.
 - (19) 5. Sign shall be located as follows:
 - (20) i. In the area of the storefront above the transom and below the second floor windows or centered between the transom and the cornice.

- (21) ii. On or in display windows or upper facade windows.
- (22) iii. On or in the glazing of the doors.
- (23) iv. On the valance of awnings.
- (24) v. On the fascia or top edge of canopies.
- (25) vi. Projecting perpendicularly from the building.
- (26) 6. No changing signs shall be permitted.

(27) SPI-1 Downtown District:

(28)a. General Regulations: Signs within SPI-1 Downtown District are subject to the regulations set forth in this section (12). For purposes of this section (12), "street" means public streets and private streets, as well as associated public right-of-way including public right-of-way accessible only to pedestrians.

(29)b. Building Business Identification Signs:

(30)1. Type: Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs shall be permitted. Only one of the signs may be either suspended or projecting along each street frontage per business establishment, provided that corner business establishments may have two projecting signs limited to one projecting sign per street frontage.

(31)2. Number:

(32)(a) Sidewalk-Level Business Establishments: A maximum of three business identification signs shall be allowed for each business establishment on the sidewalk-level of a building. For the purposes of this section (12), "sidewalk-level" shall be as defined by Section 16-18A.005(3) except where additional signage identifying the business is authorized on a monument sign or multi-tenant sign.

(33)(b) Second-Level Business Establishments: A maximum of three business identification signs shall be allowed for each second-level business establishment engaged in a permitted use listed under the commercial/retail and institutional headings of the Use Table in Section 16-18A.006 and having a facade that faces a street except where additional signage identifying the business is authorized on a monument sign or multi-tenant sign. For purposes of this section (12), "second-level" means the building floor level immediately above sidewalk-level.

(34)(c) Corner Business Establishments: One additional business identification sign shall be allowed for each business establishment occupying a corner space that faces two streets and is located on the sidewalk-level or second-level, provided such sign is oriented toward the additional street.

(35)3. Area: Where a business establishment is permitted to have business identification signs, the following regulations shall apply:

(36)(a) Sidewalk-Level and Second-Level Business Establishments: The combined area of the business identification signs except for that signage on monument signs or multi-tenant signs if allowed shall not exceed ten percent of the total area of the walls of the business establishment that face the street but at least 60 square feet of combined sign area is allowed for each business establishment.

(37)(b) Corner Business Establishments: The area of the additional sign authorized by subsection (12) b.2.(c.) shall not exceed ten percent of the total area of the walls of such business establishment that face the additional street, or 60 square feet, whichever is less and this calculation shall exclude that signage on monument signs or multi-tenant signs if allowed.

(38)(c) No individual sign shall exceed 200 square feet.

(39)4. Height: The height limitation set forth in Section 16-28A.007(m) may be exceeded as follows:

(40)(a) Subject to subsection (12)b.4.(a.) above, no portion of a business identification sign for a sidewalk-level business establishment shall be located more than 40 feet in height above the elevation of the nearest sidewalk clear zone.

The Applicant is proposing a sign for a new business. Staff finds the proposed sign is appropriately located above the existing transom windows. Per regulations, the maximum sign area allowed is 100 sq. ft. The proposed sign area is 30 sq. ft. and therefore meets the sign area requirement. Per regulations, the proposed sign cannot exceed ten percent of the wall area. The Applicant did not provide documentation the wall area requirement has been met. Staff recommends the Applicant provide documentation the wall percentage has been met.

While Staff has new general concerns regarding the installation of a new sign, Staff finds the application does not include details regarding the proposed materials, how the sign will be attached to the building and whether there will be any internal illumination or other lighting. Staff recommends the Applicant provide material details for the proposed sign. Staff recommends the Applicant clarify whether there will be any lighting for the proposed sign. As this is a historic building, Staff recommends the Applicant provide a detail that indicates the sign will be mounted into the mortar joints.

Staff Recommendations: Based upon the following:

Staff recommends approval of an Application for a Type II Certificates of Appropriateness (CA2-14-298) for new signage at **349 Edgewood Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4)/Beltline, with the following conditions:

1. The Applicant shall provide documentation the wall percentage requirement has been met, per Section 16-28A.010(12)(b)(3)(a);
2. The Applicant shall provide material details for the proposed sign, per Section 16-28A.007(v);
3. The Applicant shall clarify whether there will be any lighting for the proposed sign, per Section 16-28A.010(27)(f)(7);
4. The Applicant shall provide a detail that indicates the sign will be mounted into the mortar joints, per Section 16-28A.007(v); and
5. Staff shall review and if appropriate, approve the final plans.

**CA4ER-14-301 –
186, 204, AND 206 EDGEWOOD AVENUE /
10 AND 20 (AKA 22) JESSIE HILL DRIVE
(MARTIN LUTHER KING JR. LANDMARK DISTRICT)**

SCRIPT FOR FIRST PUBLIC HEARING ON OCTOBER 22, 2014

(Commission Secretary reads item into record.)

Chair: The Commission this afternoon will be hearing the application of CECIL PHILIPS for a Type IV Certificates of Appropriateness for the PARTIAL demolition of buildings at 186, 204, and 206 Edgewood Avenue / 10 and 20 (aka 22) Jessie Hill Drive, located in the MARTIN LUTHER KING JR. LANDMARK DISTRICT.

The Applicant shall have the burden of showing the property in question is incapable of earning a reasonable economic return in the absence of the requested demolition in accordance with the standards and criteria set out in Section 16-20.008, Subsection d. Unlike cases that do not involve an Economic Review Panel, there is no Staff recommendation, but the application will be reviewed by the Economic Review Panel.

Tonight, in the first of at least two public hearings that will be held regarding this application, the Commission will:

1. Hear a presentation by the Applicant;
2. Receive public comment on the application;
3. Ask questions about the application;
4. Establish the Economic Review Panel;
5. Set a date to submit additional materials related to the application; and
6. Set a date to reconvene the public hearing that was started tonight at an upcoming public hearing of the Commission.

The Commission will not be making a decision about the application at tonight's public hearing.

Chair: First, we will hear from the Applicant and all those in favor of the application. Given that you have one application before the Commission, you have a total of ten (10) minutes to present and rebut any opposition comments, per Rule #2, Paragraph A of the Urban Design Commission's "Rules of Procedure".

As the Applicant, do you need any additional time to make your presentation?

(Applicant states whether they need any additional time and how much. If so, a Commission Member may make a motion to grant such additional time.)

Chair: After we hear from the Applicant, we will then hear from any opposition. Applicant, please go ahead.

(Presentation by the Applicant within time frame allotted by the Commission.)

Chair: Does that conclude the Applicant's presentation?

(Applicant confirms if that is the end of their presentation / comments.)

Chair: Are those who want to speak in support of the application?

(Presentations / comments by those in support of the application.)

Chair: The Applicant has ____ minutes available for rebuttal if they so choose.

Chair: Is there anyone here that would like to speak in opposition to this application? Please come forward.

As the opposition, do you need any additional time to make your presentation?

(Opposition states whether they need any additional time and how much. If so, a Commission Member may make a motion to grant such additional time.)

(Presentation by any opposition within the time frame allowed by the Commission.)

Chair: Applicant, you have ____ minutes for rebuttal. Would you like to rebut the opposition's comments and presentation?

(Rebuttal by the Applicant within remaining time if they so choose.)

Chair: We will now go into Executive Session. Are there any questions or comments from the Commission members?

(Questions or comments from the Commission members.)

Chair: Are there any final questions or comments from the Commission members?

(Any final questions or comments from the Commission members.)

Chair: Hearing no more questions or comments, we will now proceed with the next step in our hearing tonight.

The procedures that will govern this application require that the Applicant select its representative to the Economic Review Panel, and the Commission select its representative, and those two persons in turn select the third and final member of the panel.

All materials submitted to the office of the Urban Design Commission by the Applicant, any opposition, and any other interested party, as well as the transcript of this hearing, will be forwarded to the Economic Review Panel for their consideration. The Economic Review Panel, having reviewed all of that information, will prepare a written report of their findings with regard to the criteria set out in Section 16-20.008, Subsection d of the City's Historic Preservation Ordinance for the demolition based on unreasonable economic return. The Economic Review Panel will then submit that report to the Commission for review at the next regularly scheduled public hearing following the receipt of their written report.

At this point, I need to request the name of the Applicant's representative to serve on the Economic Review Panel and the amount of time that the Applicant expects the Panel would need to do its work and to submit its written report to the Commission for a meaningful review by the Commission.

(Applicant submits name of their representative to the Economic Review Panel and proposes their estimate of the time it would take for the Economic Review Panel to do its work.)

Chair: The Applicant's representative to the Economic Review Panel is _____.

Chair: The Staff has recommended _____ as the Commission's representative to the Economic Review Panel and they have indicated a willingness to serve. Their resume / qualifications are included in the Commissioner's desk package for your review.

I would like, therefore, on the basis of the Staff recommendation, to entertain a motion from the Commission to name _____ as the Commission's representative on the Panel.

Commission Member: I move to appoint _____ as the Commission's representative on the Economic Review Panel.

(Motion seconded by Commission Member.)

Chair: It has been moved and seconded to accept _____ as the Commission's representative to the Economic Review Panel.

Chair: Any discussion on the motion? All in favor please indicate by raising your hand. Any opposed? Any abstentions?

(Vote taken by Commission on motion.)

Chair: Let the record show that _____ members voted in favor of the motion.

Chair: We now need to set a time and date certain for any additional materials, documentation, or evidence that will be submitted to the offices of the Urban Design Commission for consideration of the Economic Review Panel, per Section 16-20.008, subsection (d). The Staff is recommending that the deadline for the submission of additional materials, documentation or evidence to the Commission Office is 5:00 p.m., FRIDAY, OCTOBER 31, 2014.

Does the Applicant have any concerns about this date? I would note that the transcript of these proceedings that the Applicant must provide would have to be submitted to the office of the Urban Design Commission by this date as well.

(Time and date certain agreed upon by the Applicant and Commission.)

I would like, therefore, to entertain a motion from the Commission to make the deadline for the submission of additional materials, documentation or evidence to the offices of the Urban Design Commission as 5:00 p.m., FRIDAY, OCTOBER 31, 2014.

Commission Member: I move to make the deadline for the submission of additional materials, documentation or evidence to the offices of the Urban Design Commission as 5:00 p.m., FRIDAY, OCTOBER 31, 2014.

(Motion seconded by Commission Member.)

Chair: It has been moved and seconded to make the deadline for the submission of additional materials, documentation or evidence to the offices of the Urban Design Commission as 5:00 p.m., FRIDAY, OCTOBER 31, 2014.

Chair: Any discussion on the motion? All in favor please indicate by raising your hand. Any opposed? Any abstentions?

*(Vote taken by **Commission** on motion.)*

Chair: Let the record show that _____ members voted in favor of the motion.

Chair: So at this point we would like to entertain a motion to establish the Economic Review Panel and to direct the case numbered CA4ER-14-301 to the Economic Review Panel.

Commission Member: I move to establish the Economic Review Panel and to direct the case numbered CA4ER-14-301 to the Economic Review Panel.

*(Motion seconded by **Commission Member**.)*

Chair: It has been moved and seconded to establish the Economic Review Panel and to direct the case numbered CA4ER-14-301 to the Economic Review Panel.

Chair: Any discussion on the motion? All in favor please indicate by raising your hand. Any opposed? Any abstentions?

*(Vote taken by **Commission** on motion.)*

Chair: Let the record show that _____ members voted in favor of the motion.

Chair: In summary, the Commission's representative to the Economic Review Panel is _____ . The Applicant's representative is _____ .

Any additional materials, documentation, or evidence should be submitted directly to the offices of the Urban Design Commission, 55 Trinity Avenue, SW, Suite 3350, Atlanta, Georgia 30335-0331, by 5:00 p.m. on FRIDAY, OCTOBER 31, 2014. The Director will transmit all received materials, documentation and evidence to the Economic Review Panel for their review and consideration.

Now the only remaining business with respect to this application is I would like to entertain a motion that this item be continued until a future public hearing of the Commission. The Staff has recommended the public hearing of MONDAY, NOVEMBER 24, 2014. Assuming that NOVEMBER 24, 2014 is the public hearing date chosen by the Commission tonight, please note that if additional time is needed by the Economic Review Panel to deliberate and/or produce their final written report, the application can be deferred from the NOVEMBER 24, 2014 public hearing.

Commission Member: I move that the public hearing on the application of a Type IV Certificate of Appropriateness CA4ER-14-301 for the PARTIAL demolition of buildings at 186, 204, and 206 Edgewood Avenue / 10 and 20 (aka 22) Jessie Hill Drive be reconvened at the MONDAY, NOVEMBER 24, 2014 public hearing of the Urban Design Commission at 4:00 pm, City Council Chambers, Second Floor, City Hall, 55 Trinity Avenue, Atlanta, Georgia.

*(Motion seconded by **Commission Member.**)*

Chair: It has been duly moved and seconded that the public hearing on the application of a Type IV Certificate of Appropriateness CA4ER-14-301 for the PARTIAL demolition of buildings at 186, 204, and 206 Edgewood Avenue / 10 and 20 (aka 22) Jessie Hill Drive be reconvened at the MONDAY, NOVEMBER 24, 2014 public hearing of the Urban Design Commission at 4:00 pm, City Council Chambers, Second Floor, City Hall, 55 Trinity Avenue, Atlanta, Georgia.

Chair: Any discussion on the motion? All those in favor indicate by raising their hands. Any opposed? Any abstentions?

*(Vote taken by the **Commission** on the motion.)*

Chair: Let the record show that _____ members voted in favor of the motion.

That concludes the discussion of the Type IV application CA4ER-14-301 regarding 186, 204, and 206 Edgewood Avenue / 10 and 20 (aka 22) Jessie Hill Drive at this time.

END OF SCRIPT FOR THE FIRST PUBLIC HEARING REGARDNG THE APPLICATION.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **October 22, 2014**

Agenda Item: Review and Comment (RC-14-302) for alterations and additions at **765 Peeples Street (Brown Middle School)**- Property is zoned R-4A/West End Historic District/Beltline.

Applicant: Jason King
191 Peachtree Street

Facts: The existing school is located in the West End Historic District and is considered a

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Site Changes

The existing school has frontage on Peeples Street, Lawton Street and the Beltline. While Beecher Street is indicated on the site plan, in looking at City of Atlanta records, Beecher Street ends across the street from the school. Staff finds the Beecher Street indicated on the site plan is actually a driveway for the school.

Parking and Bus Drop Off

Currently there is parking that fronts directly on Peeples Street. The project proposes to remove the current parking that faces Peeples Street and create a new parallel parking area adjacent to the Beecher Street driveway. Staff finds the proposed parallel parking area is a more appropriate solution than parking that faces Peeples Street.

The project also includes an additional parking area for teachers and a new school bus drop off. Staff finds the new teacher parking area is appropriately located towards the rear of the property and therefore will not impact the streetscape. The proposed new bus drop off will allow the buses to drop off kids at the rear of the school and easily circulate back to the street. Staff finds this will allow for

better flow and less congestion for those using Peeples Street. Staff has no concerns regarding the new teacher parking lot of the new bus drop off.

Track and Fields

The proposal includes the addition of a softball field, football field and a 400 meter track. The proposed football field and track will be located at the rear of the property off of Lawton Street. The proposed softball field will be located at the front of the school off of Peeples Street. Staff finds the proposed track and fields are appropriately located and are important amenities required by Atlanta Public Schools. Staff has no general concerns regarding the installation of the track and fields.

While the narrative indicates the football field will be sod, the materials of the softball field and the track are not indicated. Staff suggests the Applicant clarify the materials and maintenance plans for the track and the softball field. Staff further suggests the Applicant clarify whether there will be any bleachers, accessory structures or lighting associated with the track and fields.

Additions and Renovations

The proposal includes the demolition of the 1953 cafeteria/kitchen building and the 1977 band and chorus addition to accommodate a new cafeteria/kitchen area and a new arts and media center. Staff finds the 1977 band and chorus addition is not original or historic. As such, Staff has no concerns regarding the demolition of the existing band and chorus addition. Staff finds the existing cafeteria/kitchen area is not original, however it is historic. While Staff finds retention of historic fabric is important, Staff finds the demolition of this 1953 building will cause a small negative impact. The project does not include any demolition of the original 1924 school building and the proposed demolition will be at the rear of the property. As such, Staff finds allowing the demolition to accommodate the growing needs of the school is appropriate.

In looking at the proposed addition for the new media/arts center and the new cafeteria/kitchen area, Staff finds the proposed design, massing and location is appropriate. Specifically, the proposed additions are located behind the original 1924 school building and are significantly lower in height. The proposed materials will be brick and cast stone to match the existing historic building, however the difference in fenestration will clearly differentiate the additions from the historic building. It is not clear whether some of the decorative elements seen on the front of the school will be used in the addition. While Staff has no concerns regarding the use of brick and cast stone, Staff suggests the decorative elements seen on the front of the school are not duplicated on the additions as a way to further differentiate the additions from the historic building.

The proposal includes a new entryway for the 1949 gym building. The existing gym building is historic. While the material details of the gym are consistent with the main school building, Staff would agree with the narrative that the design does not necessarily relate to the main school building. The project is proposing to add a new entry way that would extend to the Beecher Street driveway. Staff finds the proposed new entryway is functionally an appropriate change and will not impact the main historic building.

Given the information we have at this time, Staff recommends the Commission deliver its comments at the meeting.



CITY OF ATLANTA

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 22, 2014

Agenda Item: Review and Comment (RC-14-304) for alterations and additions at **110 Palisades Road**- Property is zoned R-4/Brookwood Hills Conservation District.

Applicant: Britt Morris
2135-B Hills Avenue

Facts: According to the Brookwood Hills Inventory, this house was constructed in 1946 and is considered non-contributing. At the time of the district's designation, the existing house was a one story dwelling. At some point a full second story addition was added. In 2004, the Commission reviewed and commented on (RC-04-279) on the demolition and reconstruction of a rear addition.

Analysis: The following code sections apply to this application:
Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

Conservation Districts Exempted: Certificates of appropriateness are not required for Conservation Districts. However, no person shall construct, alter, demolish or move, in whole or in part, any building, structure or site located within a Conservation District until the Commission shall have reviewed the proposed action(s) and made written recommendations regarding any such action to the owner(s) of the property.

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

Front Façade Addition

The Applicant is proposing a two story sunroom addition on the front façade of the house. The existing non-contributing house has gone through major alterations, including a full second story. As such, the original style of the house is not recognizable. There are many houses on Palisades and other parts of the District with sunrooms or similar wing addition on one or both sides of the front façade. While two story sunrooms on the front façade are not usual, there are historic houses with similar second story additions to an existing single story wing. Usually Staff finds that having a two-story addition on the front façade would be inappropriate. As this is a non-contributing house with a full second story addition, Staff finds the proposed two story addition will not have a significant negative impact on the streetscape and will have no negative impact on historic materials.

Rear Addition

The Applicant is proposing to demolish an existing rear deck and several site walls in order to construct a two-story rear addition. As the deck is not historic, Staff has no concerns regarding its demolition. Staff does not have concerns regarding the demolition of site walls to accommodate the proposed addition. In general, Staff finds the overall location, design and massing of the proposed addition is appropriate. Staff finds the rear addition is consistent and compatible with the existing house. Staff would note that the proposed addition is located behind a previous addition. The change in the fenestration pattern and the height will help clearly differentiate it as a second addition. Staff initially had a concern that the proposed ridgeline is taller than the main house. The grade appears to slope up severely from the front of the house and therefore it would be difficult to construct a two story addition that is lower in height than the main house. Staff finds most of the addition will not be seen from the street and therefore will have little or no negative impact on the streetscape.

Staff recommends a letter with the comments of Staff and the Commission be sent to the Applicant.



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **October 22, 2014**

Agenda Item: Application for a Review and Comment (RC-14-305) for alterations and additions at 1891 Johnson Road (Boyd Elementary School) - Property is zoned RG-3.

Applicant: Stanley Jennings
1020 Ralph D. Abernathy Boulevard

Facts: Boyd Elementary School is located in the Rockdale neighborhood. The school appears to be from the 1960s or 1970s. The proposed alterations and site work will mostly occur around the front entrance, including new exterior and enclosed ramps, enclosure of the now open air front vestibule, and construction of a school bus canopy / sidewalk cover. Further, there will be repairs and / or replacement of concrete fascia panels and brick veneer walls, as well as the addition of an elevator within the interior courtyard near the cafeteria.

The Staff would note that there is additional interior work proposed as part of the project which is not commented on by the Commission.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Staff does not have concerns about the repair and/or replacement of the pre-cast concrete panels or the work on the brick veneer walls. They appear to exhibit severe deterioration in the case of the brick veneer and shifting in the case of both the concrete panels and brick veneer. The Staff would recommend, however, that all replacement and repair work be done in-kind, using the same or similar concrete, mortar, or masonry units as necessary. The Staff would also note that prior to the actual renovation work, it would be important to understand and solve the problem that has caused such severe movement of these building elements.

The Staff does not have any concerns about the elevator shaft. It has been placed to have what is likely the most minimal effect on the overall design of the building and the courtyard. Its construction will have no effect on the front façade of the building.

Regarding the proposed alterations and additions to the front entrance area, the Staff does have significant concerns about the materials selected and the effect on the overall design of that portion of the building. While it completely understands the need for the ADA compliant ramps and access features (both interior and exterior), it does not find that the materials (stone and glass) are compatible with the existing materials and design of the school. Though not necessarily particularly “inviting” as currently designed, the existing front entrance area does have a distinctive, modern aesthetic, including: the curved brick corner, curved cheek wall, massive concrete fascia and recessed entryway. The proposed design sign seems too “post-modern” and contrived for the building. The Staff would recommend that ADA-compliance and the creation of an interior vestibule use materials and design elements drawn from the existing building so as to complement the existing architecture.

Similarly, while the Staff knows the benefits of a covered school bus drop off location, the proposed design (which is not connected to the front entrance itself) is also too “post-modern” for the school existing architecture, using a curved roof, suspension cables, and metal posts that are not found anywhere on the existing building. The Staff would recommend the incorporation of materials and design elements that are drawn from the existing building so as to complement the existing architecture.

Staff Recommendation: The Staff recommends that the Commission confirm that all the comments of the Commission and Staff have been delivered at the Commission meeting on the application for a Review and Comment (RC-14-305) for alterations and additions at **1891 Johnson Road (Boyd Elementary School)** - Property is zoned RG-3.



KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
October 22, 2014

Agenda Item: Applications for Type II Certificates of Appropriateness (CA2-14-307) for alterations at **186 Carroll Street** – Cabbagetown Landmark District (Subarea 4 – Neighborhood Commercial / Services).

Applicant: Amir Allbashka
978 Wildwood Drive

Facts: The building at 186 Carroll Street is a contemporary building built within the last 10 years. It has commercial space on the ground floor and residential units above. The Applicant is proposing to remove the existing storefront windows and double doors. In place of the storefront windows would be accordion style folding windows or double hung windows. In place of the double door would be a metal gate. The Applicant also proposes to repair the existing gooseneck lighting.

Analysis: The following code sections apply to this application:

Per Sec. 16-20A.005. - Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

(1) When required:

a) To change the exterior appearance of any portion of a structure within the district;

Per Sec. 16-20A.006. – General Regulations.

(6) The compatibility rule.

a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."

(13) Design standards and criteria for new principal buildings. The following regulations shall apply to new construction of principal buildings.

- a) General criteria:
 - 2. The general façade organization and proportions shall be subject to the compatibility rule.
 - 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - e. doors and door transoms;
 - f. windows and window transoms;
 - b) Façades:
 - 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
 - 4. Exterior doors visible from any public right-of-way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
- (15) Alterations and additions to non-contributing buildings. Alterations and additions to non-contributing buildings shall comply with one of the following:
- a) Alterations and additions shall be consistent with the architectural style of the existing building and the height or width of any alteration or addition shall not exceed the height or width of the existing building, or:
 - b) Alterations and additions shall be representative of a single architectural style chosen from those represented by contributing buildings on the block face where the existing non-contributing building is located, shall comply, as applicable, with Design Standards and Criteria for New Principal Buildings, section 16-20A.006(13), and the height or width of any alteration or addition shall not exceed the height or width of the existing building.
- Sec. 16-20A.010. - Neighborhood commercial/services (Subarea 4).
- (8) Storefront fenestration.
- a) All street-fronting sidewalk level development, with the exception of religious institutions and fire stations, shall provide fenestration for a minimum of 75 percent of the length of the frontage, beginning at a point not more than three feet above the public sidewalk, for a height no less than ten feet above the sidewalk.
 - b) Fenestration for commercial uses shall allow views into the interior or display windows and shall not have painted glass, reflective glass, or other similarly treated fenestration.
 - c) Variances in fenestration requirements may be approved by the commission.
 - d) Sidewalk level development without fenestration shall not exceed a maximum length of ten feet of façade.
- (9) Relationship of building to street.
- a) The primary pedestrian entrance to all uses and business establishments with sidewalk level street frontage shall:
 - 1. Face and be visible from the street;
 - 2. Be directly accessible, visible, and adjacent to the sidewalk, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street;
 - 3. Remain unlocked during normal business hours for nonresidential uses; and
 - 4. Face and be visible to an arterial street when located adjacent to such arterial streets.
 - b) Buildings shall provide continuous street-fronting sidewalk level commercial, office, or residential uses.
 - c) A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, and shall be a minimum of six inches in height.
- (10) Storefront illumination and lighting.
- a) Security, decorative, and other lighting adjacent to residential uses shall minimize light spillage onto residential properties by providing cutoff luminaries that have a maximum 90-degree illumination. The commission may also require other elements to reduce light spillage.
 - b) Any security, decorative, or other lighting luminaries shall be located a minimum height of eight feet above the sidewalk, drive or pedestrian area.

Window Replacement

While the Staff is no concerns about the removal of the existing windows (given they are contemporary elements of a contemporary building), it is concerned about the proposed options for their replacement. The Staff finds that the first option (accordion style windows that fold open) do not meet the District regulations for an alteration to a non-contributing building as it is not “consistent with the architectural style of the existing building” or “representative of a single architectural style chosen from those represented by contributing buildings on the block face where the existing non-contributing building is located” and does not comply with the requirements for new principal buildings. The Staff is not aware of any such windows on contributing commercial buildings in the District.

As for the second option (paired, double hung windows), there are examples of contributing, commercial buildings that have paired, double hung windows in them (as well as other window combinations), though it is not clear to the Staff if those windows are original or historic to the buildings. Further, the Staff would want to confirm that this window arrangement is representative of a contributing commercial building of the same architectural style (i.e. commercial of the ground floor with residential units above, including an upper level front porch).

The Staff would recommend that the accordion windows are removed from the proposal. The Staff would further recommend that the Applicant provide additional information documenting compliance with the District regulations as to the use of paired double-hung windows on the first floor of a commercial building of this architectural style.

Door Replacement

While the Staff is no concerns about the removal of the existing doors (given they are contemporary elements of a contemporary building), it does not support the installation of a metal gate. Further, it is not clear if there will be new doors behind the gate, what design any new doors behind the gate would be and where they will be located, and will the gate itself just be the metal bars or will there be some type of solid or glass panel attached to them to make them into a “door.” The Staff would also note that generally speaking new doors, gates, etc. can’t open up over the right of way.

The Staff would acknowledge that there are some security doors remaining on commercial buildings in the District. However, the installation of a completely new metal gate does not meet the District regulations for an alteration to a non-contributing building as it is not “consistent with the architectural style of the existing building” or “representative of a single architectural style chosen from those represented by contributing buildings on the block face where the existing non-contributing building is located” and does not comply with the requirements for new principal buildings. The Staff is not aware of any such gates on contributing commercial buildings in the District.

The Staff would add that if the existing doors need to be replaced due to damage, deterioration, or functionality, there would be several options for replacement doors that meet the District regulations.

The Staff would recommend the metal gate be removed from the proposal and the existing doors are retained or if necessary new doors are installed that meet the District regulations.

Gooseneck Lighting

The Staff has no concerns about the repair of the lighting, but would recommend that any repairs to the lighting shall meet all of the District regulations pertaining to outdoor storefront lighting.

Staff Recommendation: Based upon the following:

- 1) Significant components of the project do not meet the District regulations as currently proposed, per Section 16-20A.006 and 16-20A.010.

Staff recommends approval of the application for a Type II Certificates of Appropriateness (CA2-14-307) for alterations at **186 Carroll Street** – Cabbagetown Landmark District (Subarea 4 – Neighborhood Commercial / Services), with the following conditions:

- 1) The accordion windows shall be removed from the proposal, per Section 16-20A.006(15);
- 2) The Applicant shall provide additional information documenting compliance with the District regulations as to the use of paired double-hung windows on the first floor of a commercial building of this architectural style, per Section 16-20A.006(15);
- 3) The metal gate shall be removed from the proposal and the existing doors shall be retained or if necessary new doors shall be installed that meet the District regulation, per Section 16-20A.006(15);
- 4) Any repairs to the lighting shall meet all of the District regulations pertaining to outdoor storefront lighting, per Section 16-20A.006(15); and
- 5) The Staff shall review, and if appropriate approve, the final documentation, site plan, and supporting materials.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 22, 2014

Agenda Item: Application for a Review and Comment (RC-14-312) on V-14-207 for a variance to allow a reduction in the east side yard setback from 7 feet (required) to 5 feet (proposed) and (RC-14-274) for an addition at a **34 Brighton Road** – Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Patrick Gross
34 Brighton Road

Facts: According to the Brookwood Hills Inventory, the single-family dwelling was built in 1929 and is considered contributing to the District. The Applicant proposes to add a second story addition over an existing right side wing and, based on the rendering included with the submission; change a paired window to a projecting triple window in the upper right hand corner of the house.

The wing, previously an open / screened porch, has been enclosed with glass at some point in the past. The rear of the house has been previously altered by an addition. Except for the enclosure of the right hand wing, the front and sides of the house appear unaltered from the original construction.

The house sites at a bend in Brighton Road, near the intersection with Montclair Drive. The lot tapers from front to back.

Analysis: The following code sections apply to this application:

Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

Conservation Districts Exempted: Certificates of appropriateness are not required for Conservation Districts. However, no person shall construct, alter, demolish or move, in whole or in part, any building, structure or site located within a Conservation District until the Commission shall have reviewed the proposed action(s) and made written recommendations regarding any such action to the owner(s) of the property.

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6.

Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Brookwood Hills Conservation District does not have specific architectural regulations similar to the City's Historic or Landmark Districts; therefore the Commission should refer to the "Further Standards" included in Chapter 20 of the Zoning Ordinance, which apply to all locally designated districts and properties.

Regarding the variance request to reduce the side yard setback, it is not clear from the documents submitted to the Commission (which didn't include a site plan) what the detriment to the property would be if the addition were added to the back of the property. The Staff would acknowledge though that the rear yard is smaller than most in Brookwood Hills given the tapered lot shape. Further, the Staff acknowledges that reinforcing the foundation of the 1992 slab-on-grade, rear addition would be logistically complicated and expensive. Given the apparent lot configuration, construction technique of the previous rear addition, and appropriate lack of desire to alter the front of the house, the Staff finds that the only reasonable place for additional square footage maybe above the left wing.

As for the addition and alterations themselves, the Staff generally finds that the architectural components of the proposed design are compatible with the existing architectural of the house, property and District. The use of the faux half-timbering, slightly projecting window bays and front facing gable tie the architecture of the addition to the existing house, which has a Tudor Revival style.

However, the Staff must note that the addition and alterations would be significant visual changes to the front elevation of the house, when viewed as an entire visual entity. Further, even though one characteristic of Tudor Revival styles houses is often an asymmetrical façade arrangement, the Staff is concerned that in this case, the otherwise balanced façade (grouped windows flanking single openings on both levels) will become too un-balanced with the addition. At the same time, the Staff would acknowledge that there are several examples of houses in the District (that have a variety of architectural styles, including Tudor Revival) with one and two story wings only on one side.

Lastly, given the design and materials of the second story addition, the Staff is concerned that it could be virtually indistinguishable from the original portions of the house, creating a fall sense of history and development of the house.

The Staff would recommend the second story addition over the right side wing be reconsidered to reduce its visual presence form the street and slightly differentiate it from the original portions of the house.

Staff Recommendation: Staff recommends a letter with comments be sent to the Applicant and the Office of Planning regarding the application for a Review and Comment (RC-14-312) on V-14-207 for a variance to allow a reduction in the east side yard setback from 7 feet (required) to 5 feet (proposed) and (RC-14-274) for an addition at a **34 Brighton Road** – Property is zoned R-4/ Brookwood Hills Conservation District.



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **October 22, 2014**

Agenda Item: Review and Comment (RC-14-324) for demolition of a single family house at **1239 West Fair Street**-Property is zoned R-4/Beltline.

Applicant: Henrietta Kisseih
1100 2nd Street, Stone Mountain

Facts: The existing single family dwelling is located in the Mozley Park Neighborhood. The Mozley Park Historic District was listed on the National Register of Historic Places in 1995. In looking at the National Register map, this property is located outside of the historic district. According to the Fulton County tax records available online, this house was built in 1949.

Analysis: The following code sections apply to this application:
Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structure or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

The Applicant is proposing to demolish an existing single family dwelling as part of the construction project for the Atlanta Beltline trail in southwest Atlanta. In looking at the City of Atlanta lot boundary map, the lot in question is located at the rear of the properties on Burbank and Stafford. The lot in question is unusual as its frontage on West Fair Street is very small and most of the property will actually front on the Beltline Trail. As indicated in the facts section, Staff finds the existing house is not located in the National Register District, although the architecture of the house does fit within the context of the district. While the house is clearly in disrepair, based on the information we have, Staff does not find the house is an imminent threat to public health and safety.

According to the Applicant, the Georgia Department of Transportation (GDOT) and the Federal Highway Administration (FHWA) find this property is a non-contributing element in the neighborhood. Staff has no concerns accepting the findings of GDOT and FHWA. Staff suggests the Applicant clarify when the findings of GDOT and FHWA were done.

The Applicant submitted a site plan, however it is not clear where the existing house is in relationship to the trail. It is also not clear how the demolition is required to construct the trail. Staff suggests the Applicant clarify whether the trail will be located where the existing house is or whether the issue is a concern with having a vacant property so close to the trail. While Staff is supportive of the construction of the Beltline trail, Staff finds it would helpful to have information on how existing structure impacts this section of the trail.

Staff Recommendation: Staff recommends that the Commission deliver its comments regarding Review and Comment (RC-14-324) for demolition of a single family house at **1239 West Fair Street**.



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CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT

June 11, 2014

REVISED

October 22, 2014

(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-145) for alterations and additions at 377 Edgewood Avenue- M. L. King, Jr. Landmark District (Subarea 4).

Applicant: Dana Armour
3763 Rogers Bridge Road, Duluth

Facts: The existing one-story gas station building was converted to a restaurant several years ago. The contributing building to the District includes the service canopy, which was converted to an outdoor dining area by the use of planters and creation of a level walking / seating area.

The Applicant currently proposes to make substantial additions and alterations to the building, as follows:

1. Partially enclose the existing service canopy area;
2. Add a “bay” to the eastern end of the building;
3. Add an addition in front of the two existing service bays almost equal in depth to the enclosure of the service canopy;
4. Install a canopy above a new patio (which includes an outdoor fireplace on the eastern end) along the entire front of the building in front of the proposed addition almost equal in depth to the un-enclosed portion of the service canopy;
5. Add a roof top, outdoor dining area over the entire, expanded building;
6. Add a dumpster and dumpster enclosure at the southwest corner of the building; and
7. Add a landscaping strip along the William Holmes Borders Drive edge of the property and a landscaped area along the Edgewood Avenue portion of the property, the latter of which would define a valet drop-off zone / lane.

The Staff would add that as of the date of the Commission meeting, the proposed comprehensive revisions to the District regulations contained in Z-14-09 will have been enacted by the City and thus would apply to this project. This would include the inclusion of the Edgewood Avenue corridor and the Auburn Avenue corridor in one Subarea 4, combining the former Subareas 4 and 5.

At its June 11, 2014 meeting, the Commission deferred this application to allow time for the Applicant to address the Staff's concerns and comments. On October 8, 2014, the Applicant submitted a substantially revised design and supporting documentation. It is these revised materials that are taken into account in this revised Staff Report.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

The following general regulations shall apply to all properties within the Martin Luther King, Jr. Landmark District, except where otherwise stated.

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
 - a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - ii. On contributing buildings on the same block in Subareas 3 and 4.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.

- d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - iii. No certificate of appropriateness shall be required to repaint any structure or portion thereof, or, to make ordinary repairs and maintenance using in-kind materials.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - ii. Additions;
10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

Sec. 16-20C.005. Permitted Principal Uses and Structures.

1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:
- a. The permitted principal uses and special permit uses set forth in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be permitted only as listed within each Subarea within said table of uses and only in the manner so listed.
 - b. Permitted principal uses. A building or premises shall be used only for the principal uses indicated with a "P" in Table 1: Martin Luther King Jr. Landmark District Table of Uses, subject to further restrictions where noted.

TABLE 1: MARTIN LUTHER KING JR. LANDMARK DISTRICT TABLE OF USES	SUBAREA 1 Auburn Ave Res	SUBAREA 2 Residential	SUBAREA 3 Institutional	SUBAREA 4 Auburn/Edgewood Commercial
NON-RESIDENTIAL USES				
Eating and drinking establishments	X	P *	X	P

NOTES
Bed and breakfast uses in Subarea 2 shall comply with the use restrictions of 16-20C.005(2)(b).
@ Park-for-hire surface parking lots shall comply with the use restrictions of 16-20C.005(3)(c).
% Roof antennas and similar uses shall comply with the use restrictions of 16-20C.005(3)(d).
* Limited to location set forth in 16-20C. 005(2)(c) and further limited to a maximum size of 2,000 square feet for each individual use.
^ Limited to location set forth in 16-20C. 005(2)(c) and further limited to a maximum size of 4,000 square feet for each individual use.
& On an undeveloped lots.

3. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 3 and 4.
- a. Except as otherwise herein provided, no merchandise shall be stored other than that to be sold at retail on the premises; and no storage for such merchandise shall occupy more than 40 percent of the floor area on the premises. No off-premises storage of such merchandise shall be permitted in the district as either a principal or accessory use.

- e. Active uses. Ground floor, sidewalk-level uses are further regulated in this district for the purposes of creating vibrant and pedestrian-oriented sidewalks and streets. Active uses, where provided, shall be serviced by plumbing, heating, and electricity and are limited to the residential uses and non-residential uses designated in Table 1: Martin Luther King Jr. Landmark District Table of Uses, except that the following non-residential uses shall not be considered as active uses:
 - i. Drive-in and drive-through facilities.
 - ii. Parking and driveways.
 - iii. Accessory non-residential storage areas.

Sec. 16-20C.006. Lot Controls and Building Heights.

- 2. The following Lot Controls and Building Heights provisions shall apply to Subareas 3 and 4.
 - a. Building heights.
 - i. Maximum building heights shall be permitted up to a maximum of one and one-half (1.5) times the height permitted utilizing the compatibility rule, provided that:
 - (1) For property located east of Interstate 75/85, no building shall be permitted to exceed a maximum height of 55 feet.
 - (2) For property located west of Interstate 75/85, no building shall be permitted to exceed a maximum height of 68 feet.
 - ii. The building heights permitted in this subsection are intended to be the maximums authorized but are subject to further compatibility restrictions under other provisions of this district relative to building form, scale, massing and materials.
 - iii. Notwithstanding the height requirements of these subareas, previously existing structures in existence before 1967 but no longer in existence may be reconstructed to their original footprints and height where the applicant shows by archived evidence or sworn affidavit(s), and the Commission finds, that such structural dimensions previously existed on the proposed site.

Sec. 16-20C.007. Sidewalks, Yards and Open Space.

- 1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
 - a. Sidewalks.
 - i. Public sidewalks shall be located along all public streets and shall consist of two (2) zones: an amenity zone and a walk zone.
 - ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two (2) percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
 - iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two (2) percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight (8) feet.
 - iv. New sidewalks and their corresponding zones shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new amenity zone shall be a minimum of two (2) feet wide and the new walk zone shall be a minimum of five (5) feet wide.
 - v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
 - vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
 - vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the Director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
 - viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a Certificate of Appropriateness by the Commission.

- ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
- c. Required Open Space.
 - i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
- 3. The following additional Yards provisions shall apply to Subareas 3 and 4.
 - a. Front, Rear and Side Yards. All front, rear and side yards for this Subarea shall be established through the compatibility rule, except that zero-lot-line side yards shall be permitted as a minimum side yard allowance regardless of the compatibility rule application.

Sec. 16-20C.008. Design Standards.

- 1. The following Design Standards provisions shall apply to Subareas 1 through 4.
 - a. Building Compatibility.
 - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
 - iii. Fiberglass roofs shall be prohibited.
 - b. Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - c. Landscaping.
 - i. A landscape plan may be required by the Commission to mitigate the environmental and visual impacts of construction on adjoining properties. The Commission may require that plant materials in a landscape plan reflect the character of the district.
 - ii. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Sec. 158-26 et seq., shall apply to this district.
 - d. Loading Areas, Loading Dock Entrances, and Building Mechanical and Accessory Features for All Non-Residential Uses.
 - i. All dumpsters shall be concealed with walls six (6) feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco and shall not be visible from any public street.
 - ii. Loading docks and loading areas shall not be permitted on the primary façade of a principal building.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
- 3. The following Design Standards provisions shall apply to Subareas 3 through 4.
 - a. Facades.
 - i. Building materials for the façades of principal structures shall be determined by the compatibility rule. Concrete block and other masonry materials may be used on façades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any façade.
 - ii. Covering of the original façade shall not be permitted.
 - iii. Painting of unpainted building materials and masonry is prohibited.

- iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
- v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
- vi. Cornice lines shall cap all building facades and shall consist of sheet metal, brick, cast concrete or terra cotta materials.
- b. Active uses (See Sec. 16-20C.005(3)(e))
 - i. Active uses shall be provided within buildings and parking structures for the entire length of said building façade except ingress and egress points into parking structures or loading areas.
 - ii. Active uses shall be provided for a minimum depth of 20 feet, as measured from the sidewalk-level building façade.
- d. Fenestration.
 - i. A minimum of 60 percent of the length of the building façade shall contain fenestration.
 - ii. Sidewalk-level development without fenestration shall not exceed a maximum length of 10 feet of façade.
 - iii. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.
- e. Illumination and Security Features.
 - i. Security, decorative, and other lighting shall minimize light spillage by providing cutoff luminaries that have a maximum 90-degree illumination. The Commission may also require other elements to reduce light spillage.
 - ii. Any security, decorative, or other lighting luminaries shall be located a minimum height of eight (8) feet above the sidewalk, drive, or pedestrian area.
- f. Awnings and Canopies.
 - i. Original awnings and canopies shall be retained.
 - ii. Replacement awnings or canopies are permitted only when original awnings or canopies cannot be rehabilitated.
 - iii. Awnings and canopies must have a minimum clearance of eight (8) feet above the sidewalk level, and shall not encroach more than five (5) feet over the public sidewalk.
 - iv. Installation of new canopies upon contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the structure.
 - v. Installation of new canopies upon non-contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the district.
 - vi. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
 - vii. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
 - viii. Multiple awnings on a single building shall be similar in shape and configuration.
 - ix. Only that portion of the awning used for signage shall be illuminated.

Sec. 16-20C.009. Off-Street Parking, Parking Structures, Driveways, Driveways and Curb Cuts.

- 1. The following Off-Street Parking regulations shall apply to Subareas 1 through 4.
 - a. Parking Requirements. Off-street parking and bicycle parking requirements shall be as specified in the Martin Luther King, Jr. Landmark District Parking Table and subject to the following:

TABLE 2: MARTIN LUTHER KING JR. LANDMARK DISTRICT PARKING TABLE	MINIMUM PARKING: BICYCLES	MINIMUM PARKING: AUTOMOBILES	MAXIMUM PARKING: BICYCLES	MAXIMUM PARKING: AUTOMOBILES
Single-family dwellings, Two-family dwellings	None	None	None	2 spaces for every 1 residential unit
All other Residential and Dwelling Uses	The greater of: 2 spaces or 1 space for every 5 residential units	None	No more than 50 spaces required	2.5 spaces for every 1 residential unit
Non-Residential Uses	The greater of: 2 spaces or 1 space for every 4,000	None	No more than 50 spaces	2.5 spaces for every 1,000 square feet of floor area

	square feet of floor area		required	
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- i. Bicycle parking spaces shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock and shall be a type specified by the Director of the Office of Planning as applicable.
 - ii. Bicycle parking shall be located a maximum horizontal distance of 100 feet from a building entrance.
- b. Surface Parking.
 - i. When utilized, off-street surface parking shall not be permitted to be located between a building and an adjacent street without an intervening building.
 - ii. When authorized, park-for-hire surface parking lots shall be prohibited from being located within 65 feet of any public street frontage.
- c. Screening for Non-Residential and Multi-family Uses.
 - i. All surface parking regardless of the number of parking spaces provided, shall comply with all of the requirements of Chapter 158, Article II, Sec. 158-30.
 - ii. Screen wall extensions shall be permitted when surface parking is directly adjacent to a public sidewalk and additionally shall:
 - (1) Be located predominantly parallel and congruent with the adjacent building façade;
 - (2) Be a minimum height of ten (10) feet and a maximum height of 12 feet;
 - (3) Be a minimum of 50 percent permeable or articulated to avoid blank walls; and
 - (4) Utilize the adjacent building for purposes of determining allowable materials and architectural features.
- 3. The following regulations shall apply to driveways and curb cuts within the district.
 - a. Use of shared driveways and/or alleys is permitted. Driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the Commission.
 - b. Circular drives and drop-off lanes shall not be located between any principal building and any public street. The Commission shall additionally have the authority to vary Section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - c. Curb cuts and driveways are not permitted on Edgewood Avenue, Auburn Avenue, Boulevard and Piedmont Road when reasonable access may be provided from a side or rear street or from an alley.
 - d. One curb cut is permitted for each development. Developments with more than one (1) public street frontage or more than 300 feet of public street frontage may have two (2) curb cuts.
 - e. Curb cuts shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
 - f. Sidewalk paving materials shall be continued across intervening driveways for all Non-Residential and Multi-family uses.

General Development Controls and Uses

A variety of commercial uses are permitted in the Subarea, including eating and drinking establishments. The ground-floor sidewalk level is proposed for active uses for the required depth.

The revised submission still meets this requirement.

No off-street parking is indicated on the site plan, but bicycle parking is required. The Staff would recommend that the Applicant document compliance with the bicycle parking regulation. No new curb cuts or driveways are proposed.

The revised site plan indicates a bike rack with six (6) bicycle parking spaces, which meets the minimum requirements.

The front, east, and rear yard setbacks of the building are changing. The Staff would recommend the Applicant document compliance with the setback regulations.

No additional information was included in the revised submission. The Staff would retain its previous recommendation.

Partially enclose the existing service canopy area.

The Staff finds that it is possible to partially enclose the service canopy area so that the architectural character and proportion of the now open service canopy area can be maintained and the enclosure is distinct from but compatible with the historic building. However, the Staff further finds that the proposed design, essentially mimicking the existing fenestration patterns, detailing, and architectural components is too similar to the existing building and will not maintain the openness of the existing service bay. For any enclosure of the service canopy area to be found to meet the District regulations, it would have to be more transparent and more distinct from the existing building.

The Staff would recommend that the enclosure of the service canopy area be substantially re-designed to be much more transparent and distinct from but compatible with the existing building.

In the revised submission, the enclosure of the open service canopy area is achieved through the use of “roll up glass doors” instead of “storefront”. The elevation shows the same graphic, with only a note describing the different functionality. As such, it is not clear how the new doors will visually be more transparent and more distinct from the existing building than the previous proposal. Further, given the design of the ceiling and fascia of the open service canopy area, it is not clear how the roll-up door system will be mounted as to not unnecessarily harm and/or diminish the architecture of the canopy. The Staff would retain its previous recommendation and additionally recommend the Applicant provide more design details on the roll up door proposal.

Add a “bay” to the eastern end of the building.

Add an addition in front of the two existing service bays almost equal in depth to the enclosure of the service canopy.

The Applicant has proposed extending the building to the almost the eastern property line. Absent any concerns about the lack of documentation of the setbacks noted above, the Staff finds that making an addition to the side of the existing building is possible, regardless of whether or not three bay Gulf stations existed somewhere else. The Staff further finds that such an addition would have to be somewhat distinct from the rest of the building to clearly delineate it as a contemporary addition.

Even taking into account the Staff’s concurrence that a side addition could be compatibly added to the building, the Staff has substantial concerns about the construction of an addition along almost the entire length of the existing building, including in front of the proposed side addition. Taken together, these changes (along with the partial enclosure of the service canopy area) would completely engulf the existing building leaving only the William Holmes Borders façade visible from a public street. The building would essentially no longer present any historic materials to the public and would only be a facsimile of its historic presence. Further, given that the proposed design attempts to mimic the existing service bay fenestration pattern, materials, and architectural elements, the proposed addition would create a false sense of historic and evolution of the property.

The Staff would recommend the addition proposed to the front of the building be removed from the proposed design.

The addition proposed along the front of the building has been removed from the proposed design.

The addition on the eastern end of the building has been retained and its panel system has been differentiated from the existing panel system on the rest of the building. The Staff finds that this differentiation will sufficiently distinguish the addition from the rest of the building and could maintain some compatibility with the rest of the building. The Staff would recommend the Applicant provide additional design details on the exterior finishes of the addition on the east end of the building.

Install a canopy above a new patio (which includes an outdoor fireplace on the eastern end) along the entire front of the building in front of the proposed addition almost equal in depth to the un-enclosed portion of the service canopy.

Notwithstanding the Staff's substantial concerns about the addition along the front of the building, the Staff does find that an outdoor seating area and canopy can be added to the front of the existing building so that the architectural character and proportion of the building can be maintained and the canopy / outdoor seating area is distinct from but compatible with the historic building. However, the Staff further finds that given the lack of details about the proposed canopy, it is not able to make such a determination. It would appear that the proposed canopy will be too similar to the existing service canopy design and will too closely draw from the trim and architectural details of the existing building.

The Staff would recommend that additional design information be provided about the proposed canopy and outdoor seating area in front of the existing building and the canopy design be compatible with but distinct from the existing building.

In the revised submission, the canopies have been removed from the design. The outdoor seating area still retains the planter box boundary and outdoor fireplace. The Staff finds that planter boxes are an appropriate, but non-permanent way to define an outdoor dining space. It is still concerned about the outdoor fireplace, given the reference to both brick and steel. It would appear to be still a residentially-based design, with a brick exterior. While the Staff does not know of an outdoor fireplace original to a post-World War II gas station, it does find that adding such a feature, if compatibly designed, does meet the District regulations. The Staff would recommend the outdoor fireplace be re-designed to be compatible with but differentiated from the architecture of the existing station building.

Add a rear addition along the entire rear façade of the existing building.

In contrast to the previously proposed front addition, the Staff finds that a rear addition is a much more compatible way to expand the building. Notwithstanding the setback requirements noted above, the Staff finds that the rear addition (with its stucco coating) allows the existing building to continue to be the dominant architectural feature of the property and will be differentiated from the existing building. However, it is not clear how the stair case will provide access to the roof top area, given that there is no door indicated on the side elevation and the stairs stop below the roof top level. The Staff would recommend that additional design details be provided about the outdoor stairs to the roof top level and how access to the roof top level will be achieved.

In addition, the Staff would strongly suggest that the Applicant provide more information about the “dark stucco finish” proposed for the addition. While the District regulations do not have paint color requirements, the Staff would suggest that the stucco on the addition be only slightly darker than the existing bright, white panels of the existing building.

Add a roof top, outdoor dining area over the entire, expanded building.

The proposed design includes a new roof top, outdoor dining area covered by the shed roof that slopes to the back of the building. First, the Staff would recommend that the Applicant document that the roof top outdoor dining area meets the maximum height requirements of the District regulations.

Even if the proposed roof top, outdoor dining area meets the height requirements, the Staff finds that this component of the design would completely transform the appearance and character of the building and does not meet the District regulations. While having roof top, outdoor dining could be possible on this building, given its height (one-story), depth (shallow), and architectural design (no apparent parapet wall), it will be difficult to achieve such a proposal. Further, the proposed design appears to “float” the proposed roof top outdoor dining area above the existing building using a superstructure detached and separate from the building itself. This “stilt” approach adds to the incongruity between the existing and proposed design.

The Staff would recommend the proposed roof top, outdoor dining be substantially redesigned, including but not limited to a reduction in size, an increase in distance from the edge of the dining area to the facades of the building, and change in support structure and roof design.

In the revised submission, the roof top, outdoor dining area (though likely the same size) has been re-positioned on the roof to be farther away from the front façade of the existing building. The materials have been changed to steel with either a wood or metal ceiling. Lastly, the roof top structure is completely contained within the existing building and addition’s volumes vs. having an exterior superstructure. While all of these attributes increase the potential compatibility of the roof top structure, the Staff still finds that there are additional changes that need to be made to make the roof top structure meet the District regulations.

All of the materials for the structure should be metal. The “railing” of the roof top structure should be made of solid continuous metal panels, not planter boxes. The western edge should be moved away from the western edge of the existing building so as to clearly distinguish the roof top structure from the existing building.

The Staff would retain its previous recommendation.

Add a dumpster and dumpster enclosure at the southwest corner of the building.

The dumpster is proposed between the building and William Holmes Borders Drive, which is not permitted by the District regulations. Further, the design and materials of the dumpster enclosure are not specified. The Staff would recommend that the dumpster’s location and the dumpster enclosure’s design and materials meet the District regulations.

The revised submission notes that the existing dumpster enclosure will be retained and no changes will be made.

Add a landscaping strip along the William Holmes Borders Drive edge of the property and a landscaped area along the Edgewood Avenue portion of the property, the latter of which would define a valet drop-off zone / lane.

While the Staff does not have concerns about the landscape strip proposed along William Holmes Borders Drive, the Staff does have concerns about the use of the landscaping in the front portion of the property to create a valet drop-off zone / lane. Such lanes are prohibited in the District. While the property is allowed to keep the existing, previously approved, paved configuration the design cannot be changed to a proposal that does not meet the District regulations. Further, such a change in the property (and the substantial expansion of the existing building) would require meeting all of the new sidewalk, streetscape, curb cut, and landscaping requirements, which have not been included in the design.

The Staff would recommend that the valet drop-off zone / lane be eliminated from the front portion of the property.

The landscape strip along William Holmes Borders Drive has been eliminated from the proposed design. Further, the landscape strip along Edgewood Avenue has been redesigned and the valet drop-off area has been eliminated from the proposal. However, given the revised design and the elimination of the valet drop-off zone from the design, the Staff would recommend that the eastern most curb cut be removed and a sidewalk segment installed in its place that is the same as the sidewalk already existing on the Edgewood Avenue frontage. This would allow eliminate confusion for vehicle traffic in and out of the property, increase the safety of bicycle riders using the bike racks, and create a more pedestrian friendly environment in front of the outdoor dining area.

Install a new pole-mounted sign in the northwest corner of the property.

The District's sign regulations are based on the SPI-1 sign regulations, with several significant additional specifications, including the prohibition of new freestanding signs. The SPI-1 regulations specifically prohibit freestanding signs and the District regulations limit the location of signs to the following:

- 1) In the area of the storefront above the transom and below the second floor windows or centered between the transom and the cornice.*
- 2) On or in display windows or upper façade windows.*
- 3) On or in the glazing of the doors.*
- 4) On the valance of awnings.*
- 5) On the fascia or top edge of canopies.*
- 6) Projecting perpendicularly from the building.*

The proposed freestanding sign does not meet any of these requirements. The Staff would recommend the freestanding pole sign is removed from the proposal.

Staff Recommendation: Based upon the following:

1. While aspects of the design, size, location, components, and materials of the proposed additions and alterations meet the District regulations, there are still outstanding components that do not, per Section 16-20C.004, Section 16-20C.005, Section 16-20C.006, Section 16-20C.007, Section 16-20C.008, and Section 16-20C.009.

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-14-145) for alterations and additions at 377 Edgewood Avenue- M. L. King, Jr. Landmark District (Subarea 4) to allow time for the Applicant to address the following concerns:

1. The Applicant shall document compliance with the setback regulations, per Section 16-20C.007(3);
2. The enclosure of the service canopy area shall be substantially re-designed to be much more transparent and distinct from but compatible with the existing building *and the Applicant shall provide more design details on the roll up door proposal*, per Section 16-20C.004(1) and 16-20C.008(1)(a)(i);
3. *The Applicant shall provide additional design details on the exterior finishes of the addition on the east end of the building*, per Section 16-20C.004(1) and 16-20C.008(1)(a)(i);
4. *The outdoor fireplace shall be re-designed to be compatible with but differentiated from the architecture of the existing as station building*, per Section 16-20C.004(1) and 16-20C.008(1)(a)(i);
5. *Additional design details shall be provided about the outdoor stairs to the roof top level and how access to the roof top level will be achieved*, per Section 16-20C.004(1);
6. The proposed roof top, outdoor dining shall be substantially redesigned, including but not limited to a reduction in size, an increase in distance from the edge of the dining area to the facades of the building, and change in support structure and roof design per Section 16-20C.004(1) and 16-20C.008(1)(a)(i);
7. *The eastern most curb cut shall be removed and a sidewalk segment shall be installed in its place that is the same as the sidewalk already existing on the Edgewood Avenue frontage*, per Section 16-20C.007 and Section 16-20C.009(3);
8. *The freestanding pole sign shall be removed from the proposal*, per Section 16-28A.010(27)(e)(4); and
9. The revised designs and supporting materials (including the required number of copies) shall be submitted to the Staff at least eight (8) days prior to the Commission meeting to which this application is deferred.